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PATENT
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Express Mail Label No. EV 325 214 932 US
U.S.PTO
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021904

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Anticipated Classification
of this Application:

Class 250

Subclass 310

Prior Application

Examiner: KALIVODA, C. M.

Art Unit: 2881

CONTINUATION APPLICATION TRANSMITTAL

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a request for filing a continuation divisional application pursuant to 37 C.F.R. § 1.53(b), of pending prior application:

Serial No. 10/421,140 filed April 23, 2003, by Masato KAZUI; Mitsuji IKEDA; and Atsushi TAKANE (inventor(s) currently of record in prior application) for Shape Measurement Method and Apparatus.

1. Enclosed is a copy of the prior application, including the oath or declaration as originally filed, or a replacement specification which does not add new matter.
2. The filing fee is calculated below:

CALCULATION OF FEES								
ITEM		TOTAL NO. OF CLAIMS		NO. OF CLAIMS OVER BASE	LG/SM \$ ENTITY FEE		\$ AMOUNT	\$ FEE
A	TOTAL CLAIMS FEE	1	-20	0	LG=\$18 SM=\$9	\$18	\$ 0	
B	INDEPENDENT CLAIMS FEE*	1	-3	0	LG=\$86 SM=\$43	\$86	\$ 0	
C	SUBTOTAL - ADDITIONAL CLAIMS FEE (ADD FINAL COLUMN IN LINES A + B)						\$ 0	
D	MULTIPLE-DEPENDENT CLAIMS FEE				LARGE ENTITY FEE = \$290 SMALL ENTITY FEE = \$145		\$ 0	
E	BASIC FEE				LARGE ENTITY FEE = \$770 SMALL ENTITY FEE = \$385		\$ 770.00	
F	TOTAL FILING FEE (ADD TOTALS FOR LINES C, D, AND E)						\$ 770.00	

- *LIST INDEPENDENT CLAIMS 1
3. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Account No. 50-1314. A copy of this sheet is enclosed.
 4. A check in the amount of \$ 0 is enclosed.

5. Cancel in this application original claim(s) 2-13 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
6. Amend the specification by inserting before the first line the sentence:

This is a continuation divisional of application Serial No. 10/421,140 filed April 23, 2003, which application is hereby incorporated by reference in its entirety.

- 7a. New formal drawings are enclosed.

- 7b. Priority of application Serial No(s).:

Japanese application Serial No. 2002-120357 filed April 23, 2002 is claimed under 35 U.S.C. § 119.

- 7c. The certified copy of the priority application was filed in prior application Serial No. 10/421,140, filed April 23, 2003.
8. The prior application is assigned of record to: Hitachi High Technologies Corporation.
9. The power of attorney in the prior application is as listed on the attached copy of the declaration filed in the parent application.
 - a. The power appears in the original papers in the prior application.
 - b. Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
 - c. Address all future communications to:

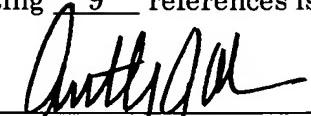
Anthony J. Orler, Esq.
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Telephone: (213) 337-6700
Facsimile: (213) 337-6701

Customer Number 000026021 →

- d. A new Associate Power of Attorney is enclosed.
10. A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
11. Applicant claims small entity status. See 37 CFR 1.27.
 Applicant no longer claims small entity status.

12. An Information Disclosure Statement listing 9 references is enclosed.

Date: February 19, 2004


Anthony J. Opler
Registration No. 41,232

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

KAZUI, et al.

Serial No: (Not Assigned; Parent 10/421,140)

Filed: February 19, 2004

For: Shape Measurement Method and Apparatus

Art Unit: Not Assigned

Examiner: Not Assigned

CERTIFICATE OF MAILING VIA U.S. EXPRESS MAIL

"Express Mail" Mailing Label No. EV 325 214 932 US

Date of Deposit: February 19, 2004

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that

- two copies of a letter of transmittal
- patent application (25 page(s) of specification; 1 claim(s); 1 page(s) of abstract
- 6 sheet(s) of formal drawings
- copy of executed Declaration and Power of Attorney
- Preliminary Amendment
- Information Disclosure Statement listing 9 references
- return postcard

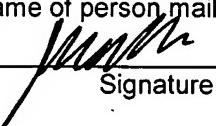
are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 C.F.R. § 1.10 on the date indicated above and are addressed to:

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

Date: February 19, 2004

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Reynaldo Gallardo
Name of person mailing papers


Signature